

Remarks:

The applicant has rewritten the claims to define the invention more particularly so as to overcome the technical rejections and define the invention patentably over the prior art. Claims 5 has been rewritten as new Claim 8 and claims 6-7 have been abandoned.

Claims 5-7 were rejected under 35 USC 102(b) as being anticipated by U.S. patent no. **6220659 B1** to **McDowell Et al.**

McDowell et al. discloses a bench that contains a seat, backrest and upright supports and uses a thin film as the heating element.

Claim 3 by McDowell states "a heated seat according to claim 1 wherein said flat substrate is a metal plate and said heater is a thin film."

The applicant of this invention uses commercially-produced heat trace cable that is flat and coiled on its edge to heat the bench. This method is different.

Conclusion:

This applicant respectfully submits the claims define over the prior art under Section 102 because the method of heating the bench is novel and the claimed distinctions are of patentable merit under Section 103 because of this method. Accordingly, applicant submits that this application is now in full condition for allowance, which action applicant respectfully solicits.

Very respectfully,



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Date: 12/14/05

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